

**GOVERNMENT OF RAJASTHAN
FINANCE DEPARTMENT
RULES DIVISION**

NOTIFICATION

No. F.15(2)FD/Rules/1999

Jaipur, dated ~~8~~ 8 SEP 2015

In exercise of powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Rajasthan hereby makes the following rules further to amend the Rajasthan Civil Services (Pension) Rules, 1996, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Civil Services (Pension) (Second Amendment) Rules, 2015.

(2) They shall come into force with immediate effect.

2. Substitution of rule 109.-The existing rule 109 of the Rajasthan Civil Services (Pension) Rules, 1996, here in after referred to as the said rules, shall be substituted by the following, namely:-

"109. Applicability.- This chapter shall apply to the following categories of Government servants on pensionable establishment, whether temporary or permanent,-

- (i) Police Personnel whether in regular or irregular Units, including class-IV servant, followers and other non combatant staff attached to police force and Rajasthan Armed Constabulary upto rank of Commandant and Superintendent of Police (other than Indian Police Service Officers) and officials working as Executive Magistrate during Law and Order situations (other than All India Services Officers) who, -
 - (a) die while on duty, due to act of violence by terrorists, dacoits, criminals, anti-social elements including bomb blasts in public places or in course of confrontation with mob or crowd during agitation, riot or disturbance; or
 - (b) die while on duty, due to a result of attack by or during action against extremists, anti-social elements, etc.
- (ii) Personnel of Preventive or Enforcement branches of Excise, Mining, Forest (other than Indian Forest Service Officers) and Transport Department who charged with duty of enforcement and killed or die as a result of injury sustained while undertaking raids.

Note: The benefit under these rules shall be restricted only to those cases where the death is directly caused in actual operation.

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The following illustrations are for guidance of sanctioning authorities to determine whether this provision is attracted or not. In case of any doubt, cases may be referred to Finance Department:-

Illustration - I

Officers of Police or Excise department proceed to carry out a raid. If on the way, any member of the team meets with an accident while travelling in a public/private/official vehicle or otherwise, the family shall not be allowed the benefit under this chapter as the injury/death in such a case is not due to any actual operation. However, if any officer/member of the raid party gets killed / injured as a result of attack by members of the opposite party, family of such member of raid party shall be entitled to the benefits under this chapter.

Illustration - II

A team of Police/Rajasthan Armed Constabulary (RAC) is deployed on duty during agitations. The agitation does not turn violent but the civil servant dies because of, say, heart failure, and not due to any attack by the crowd. The widow of such a civil servant shall not be entitled to the benefits under this chapter. However, where a team of civil servants including Police personnel are deployed to contain an agitation by extremists, etc., and death of any civil servant takes place as a result of violence during such an agitation, the widow of the deceased shall be entitled to the benefits under this chapter."

3. Substitution of rule 110.- The existing rule 110 of the said rules shall be substituted by the following, namely:-

"110. Applicability of Award.- Award at the rates specified in rule 111 shall be granted under this Chapter to the family of, -

- (a) Police personnel (other than Indian Police Service Officer) and officials working as Executive Magistrate (other than All India Services Officers) who while in service are killed or die under any of the circumstances mentioned in clause (i) of rule 109;
- (b) Personnel of Preventive or Enforcement branches of Excise, Mining, Forest (other than Indian Forest Service Officers) and Transport Department who while in service are killed or die under the circumstance mentioned in clause (ii) of rule 109."

4. Substitution of rule 111. - The existing rule 111 of the said rules shall be substituted by the following, namely:-

"111. Amount of Award.- Subject to the other provisions of this Chapter, the amount of Award and concessions admissible under this Chapter shall be as follows:-

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- (i) Death Gratuity as admissible under Chapter V-B of these rules.
- (ii) If the Government servant is survived by the widow/widower, she/he shall be entitled to family pension equal to the emoluments last drawn by the deceased Government servant. The said family pension shall be payable upto the date when the deceased would have attained the age of superannuation had he survived or her / his remarriage whichever is earlier, thereafter normal family pension as per Chapter V-C of these rules shall be payable. In case the widow/widower got married afterwards, normal family pension shall be discontinued.
- (iii) In the case of Government servants, who expired before 01.01.2006, the corresponding revised pay shall be determined in the Rajasthan Civil Services (Revised Pay) Rules, 2008 on notional basis in the pay scale rules revised from time to time on the basis of last pay actually drawn in the respective pay scale of the post held by the deceased Government servant and thereafter revised family pension shall be allowed as per clause (ii) above.
- (iv) Children of the deceased shall be entitled to the facility of free education in Government Schools and Colleges within the Rajasthan State, to the same extent as permissible to the children of low paid Government Servants, according to rules thereon.
- (v) The family of the deceased shall be paid a sum of Rs. 10,000 for meeting expenses on the funeral rites of the deceased Government servant.
- (vi) In the event of remarriage/ death of the widow/widower, as the case may be, the family pension shall be allowed to the eligible other member of family at the normal rates of family pension on the conditions laid down under Chapter V-C of these rules."

5. Amendment of rule 114.- In sub-rule (2) of rule 114 of the said rules,-

- (i) for the existing punctuation mark "." appearing at the end of clause (v), the punctuation mark ";" shall be substituted.
- (ii) after the existing clause (v) so amended and before the existing last para, the following new clause (vi) to (ix) shall be inserted; namely:-
- "(vi) Director, Mines & Geology Department, Rajasthan in case of Personnel of Preventive or Enforcement branches of Mines Department;
- (vii) Principal Chief Conservator of Forest, Rajasthan in case of Personnel of Preventive or Enforcement branches of Forest Department;

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- (viii) Commissioner, Transport Department, Rajasthan in case of Personnel of Preventive or Enforcement branches of Transport Department; and
- (ix) Secretary to the Government, Department of Personnel in case of officials working as Executive Magistrate during Law and Order situations."

By order of the Governor,



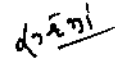
(Siddharth Mahajan)
Special Secretary
Finance (Budget)

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5. D.S. to Chief Secretary.
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9. Director, Pension & Pensioners' Welfare Department, Rajasthan, Jaipur.
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4. Secretary, Lokayukta Sachivalaya, Rajasthan, Jaipur.



(Sandhya Sharma)
Joint Secretary to the Government

(Pension - 06/2015)